

Message Text

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ACTION ACDA-12

INFO OCT-02 ISO-00 ACDE-00 SOE-02 AF-10 ARA-10 CIAE-00
DODE-00 EA-10 EUR-12 PM-05 H-01 INR-07 IO-13
L-03 NASA-01 NEA-10 NSAE-00 NSC-05 OIC-02 SP-02
PA-01 PRS-01 DOE-11 OES-07 SS-15 USIA-06 NRC-05
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P 251055Z JAN 78

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 5080

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 01081

CW MESSAGE NO. 12

E.O. 11652: GDS

TAGS: PARM US UR

SUBJECT: US-USSR NEGOTIATIONS ON CHEMICAL WEAPONS,
ROUND SEVEN: FOURTH PLENARY MEETING, JANUARY 17, 1978

REF.: GENEVA 581

1. SUMMARY: AT FOURTH PLENARY MEETING, JANUARY 17,
SOVIET DEL COMPLETED PRESENTATION OF POSITIONS ON
VERIFICATION AND PROVISIONS OF A GENERAL NATURE. SOVIET
DEL ALSO "OFFICIALLY" PRESENTED US SIDE WITH COMPLETE
TEXT OF SOVIET DRAFT CONVENTION. US DEL DEFERRED
COMMENT ON SOVIET PRESENTATION UNTIL SOVIET STATEMENT
AND TEXT OF DRAFT CONVENTION COULD BE STUDIED. END
SUMMARY.

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2. THE FOURTH PLENARY MEETING OF THE US-USSR NEGOTIA-
TIONS ON CHEMICAL WEAPONS (CW) WAS HELD AFTERNOON,
JANUARY 17 AT US MISSION'

3. AMBASSADOR V.I. LIKHATCHEV (HEAD OF SOVIET DEL)
COMPLETED PRESENTATION OF SOVIET POSITION, DEALING
PRIMARILY WITH THE ISSUE OF VERIFICATION. SOVIET ROUND

SEVEN POSITION ON VERIFICATION HAS NOT CHANGED SIGNIFICANTLY SINCE ROUND SIX AND APPEARS TO HAVE BEEN DELIVERED AS PREPARED IN MOSCOW, WITHOUT ACKNOWLEDGING REVISED US POSITION ON CHALLENGE INSPECTIONS AS PRESENTED IN PLENARY JANUARY 12 (REFTEL). LIKHATCHEV CHARACTERIZED SOVIET POSITION ON VERIFICATION AS "CONSTRUCTIVE AND FLEXIBLE" AND ATTEMPTED TO IMPLY THAT THE SOVIET SIDE HAD MADE CONCESSIONS TO THE US ON A NUMBER OF ISSUES RELATED TO VERIFICATION. TEXTS OF REVISED SOVIET DRAFT ARTICLES AND ANNEXES SENT SEPTTEL.

4. LIKHATCHEV ALSO BRIEFLY COMMENTED ON ADDITIONAL TREATY PROVISIONS ON "GENERAL LEGAL" AND OTHER MATTERS, CONTAINED IN REVISED SOVIET DRAFT ARTICLES XVII THROUGH XXIV (SEPTTEL). HE CALLED US DEL'S ATTENTION TO THE PROVISION FOR THE FIRST REVIEW CONFERENCE, PROPOSED TO TAKE PLACE EIGHT YEARS AFTER ENTRY INTO FORCE OF THE CONVENTION (I.E., AT DEADLINE FOR DESTRUCTION OF STOCKS), AND SAID SOVIET DEL BELIEVED THIS REFLECTED THE IMPORTANCE ATTACHED TO THE DESTRUCTION/CONVERSION STAGE "IN THE REALIZATION OF THE CONVENTION AS A WHOLE".

5. UPON CONCLUDING HIS PRESENTATION, LIKHATCHEV REINFORCED SOVIET POSITION ON THE FORM OF THE JOINT INITIATIVE BY STATING THAT HE WAS "OFFICIALY AUTHORIZED TO TRANSMIT" TO THE US SIDE THE "FULL DRAFT CONVENTION" ON CHEMICAL

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WEAPONS, WHICH HE THEN HANDED OVER, SAYING THE SOVIET SIDE HAD TAKEN ALL THE BILATERAL NEGOTIATIONS INTO ACCOUNT IN PREPARING THE DRAFT CONVENTION. COMPLETE "OFFICIALY AUTHORIZED" TEXT OF SOVIET DRAFT "CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCK-PILING OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION" BEING POUCHED.

6. AMBASSADOR A.S. FISHER (HEAD OF US DEL) DEFERRED COMMENTING ON SOVIET PRESENTATION AND DRAFT CONVENTION UNTIL US DEL HAD STUDIED CONTENTS; AND REMARKED THAT WHILE PROGRESS HAD BEEN MADE, THERE WAS STILL "SOME NEGOTIATING" TO BE DONE. SOVIET PRESENTATION ON VERIFICATION:

7. LIKHATCHEV BEGAN HIS PRESENTATION ON VERIFICATION BY POINTING UP THE AREAS IN WHICH THE VIEWS OF THE TWO SIDES COINCIDED:

A. VERIFICATION SHOULD BE DESIGNED EXCLUSIVELY TO PROVIDE ASSURANCE TO EACH STATE PARTY THAT ALL OTHER STATES PARTIES ARE STRICTLY COMPLYING WITH THE PROVISIONS OF

THE CONVENTION; AND

B. PRACTICAL IMPLEMENTATION OF VERIFICATION PROCEDURES
MUST NOT ENDANGER NATIONAL SECURITY, INTERFERE WITH
PEACEFUL ACTIVITIES OR DISCLOSE STATE AND INDUSTRIAL
SECRETS OF STATES PARTIES TO THE CONVENTION.

HE STRESSED THAT VERIFICATION "CANNOT AND SHOULD NOT"
BE "CONTROL FOR ITS OWN SAKE" AND STATED SOVIET POSITION
THAT "THE COMPLEX OF NATIONAL MEANS OF CONTROL, SUPPLE-
MENTED BY SOME INTERNATIONAL PROCEDURES, TOGETHER WITH
THE POSSIBILITY OF DETERMINING THE ACTUAL STATE OF AFFAIRS
ON-SITE IN A VOLUNTARY FRAMEWORK IN CASE DOUBTS ARISE
ABOUT COMPLIANCE, FULLY MEETS THE REQUIREMENTS MENTIONED
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ABOVE."

8. NATIONAL MEANS -- LIKHACHEV SAID THAT BOTH SIDES HAD
A "COMMON UNDERSTANDING OF THE POSSIBILITIES" OF

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P 251055Z JAN 78

FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 5081
INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 01081

NATIONAL MEANS OF VERIFICATION. HE SAID THAT INTERNAL LEGISLATIVE MEASURES WERE OF "PRINCIPAL SIGNIFICANCE" IN ENSURING ABSOLUTE COMPLIANCE WITH THE CONVENTION, AND THAT IF EACH STATE PARTY RELIABLY ENSURES, WITHIN ITS OWN LAWS, STRICT COMPLIANCE WITH THE CONVENTION, "THERE WILL BE NO REASON FOR SUSPICION BY OTHER STATES PARTIES." TO THIS END, SOVIET DRAFT ARTICLE XII (SEPTTEL) PROVIDES FOR POSSIBILITY OF EACH STATE PARTY TO ESTABLISH A COMMITTEE OF NATIONAL CONTROL, WHOSE AUTHORITY AND RESPONSIBILITIES WOULD BE SET BY EACH STATE PARTY, TO SUPERVISE THE FULFILLMENT OF OBLIGATIONS INCURRED UNDER THE CONVENTION. IN SOVIET VIEW, CREATION OF SUCH BODIES MUST PLAY THE PRIMARY ROLE IN VERIFICATION. HE ADDED THAT COOPERATION BETWEEN THE VARIOUS, INDIVIDUAL STATES PARTIES COMMITTEES COULD GIVE VERIFICATION OF AN INTERNATIONAL CHARACTER AND ASSIST IN RESOLVING DOUBTFUL SITUATIONS AND PROMOTE CORRECT INTERPRETATIONS OF THE ACTIVITIES OF STATES. HE EMPHASIZED THAT ESTABLISHMENT

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OF SUCH NATIONAL COMMITTEES WOULD BE THE PREROGATIVE OF EACH STATE PARTY. (ANNEX I, TRANSMITTED SEPTTEL, SETS OUT THE POSSIBLE FUNCTIONS OF A COMMITTEE OF NATIONAL CONTROL.) LIKHATCHEV SAID THAT THE CONVENTION WOULD ALSO CONTAIN AN OBLIGATION THAT USE OF NATIONAL TECHNICAL MEANS, WITHIN THE LIMITS OF UNIVERSALLY RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW, WOULD NOT BE OBSTRUCTED BY OTHER STATES PARTIES.

9. INTERNATIONAL MEANS -- LIKHATCHEV CONTENDED THAT THE SOVIET DRAFT CONVENTION CONTAINED A NUMBER OF PROVISIONS FOR INTERNATIONAL VERIFICATION: (A) CONSULTATION AND COOPERATION AMONG STATES PARTIES, EITHER BILATERALLY OR THROUGH A CONSULTATIVE COMMITTEE (SEE ANNEX 2 SEPTTEL); (B) LODGING COMPLAINTS WITH THE UN SECURITY COUNCIL; AND (C) EXCHANGE OF INFORMATION (ARTICLE XIII SEPTTEL). HE SAID THE CONSULTATIVE COMMITTEE WAS ASSIGNED AN IMPORTANT PLACE IN THE SOVIET DRAFT CONVENTION AND STRESSED THAT THERE WAS NOW A "CERTAIN DEGREE OF AGREEMENT" ON THIS ISSUE BETWEEN THE TWO SIDES. LIKHATCHEV STATED THAT THE ISSUE NOW REMAINED WHETHER TO ASSIGN THE CONSULTATIVE COMMITTEE ONLY CONSULTATIVE FUNCTIONS OR OTHER FUNCTIONS AS WELL. (SIC, SEE PARA 3E, REFTTEL).

10. ON-SITE INSPECTIONS -- LIKHATCHEV STATED THAT THE SOVIET DEL WAS NOW READY TO INCLUDE A PROVISION WITHIN THE CONVENTION FOR CARRYING OUT VOLUNTARY ON-SITE INSPECTIONS. HE SAID THAT INSPECTIONS SHOULD BE ON A VOLUNTARY BASIS BECAUSE (A) PARTIES TO THE CONVENTION

SHOULD NOT BE REGARDED AS POTENTIAL VIOLATORS THAT COULD ONLY BE RESTRAINED BY COMPULSORY INSPECTIONS; (B) A STATE PARTY WHICH FULFILLS ITS OBLIGATIONS UNDER THE CONVENTION WILL ALWAYS BE ABLE TO SHOW THAT DOUBTS OR ACCUSATIONS
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AGAINST IT ARE UNFOUNDED; AND (C) THE SOVIET-PROPOSED MECHANISM FOR VERIFICATION (I.E., NATIONAL MEANS AUGMENTED BY SOME INTERNATIONAL PROCEDURES) WOULD PROVIDE ADEQUATE ASSURANCE OF COMPLIANCE SO AS TO RESOLVE ANY DOUBTS WHICH ARISE. LIKHATCHEV EMPHASIZED THE POINT THAT THESE INSPECTIONS MUST BE CARRIED OUT IN A MANNER SO AS TO "SERVE ONLY THE PURPOSES OF ENSURING COMPLIANCE WITH THE CONVENTION, AND NO OTHER PURPOSES WHATSOEVER."

11. UPON CONCLUDING HIS REMARKS ON VERIFICATION, LIKHATCHEV HANDED OVER REVISED SOVIET DRAFT ARTICLES ON VERIFICATION AND OTHER "GENERAL LEGAL MATTERS". TEXTS OF REVISED ARTICLES CONVEYED SEPARATELY.

12. NEXT PLENARY MEETING WAS SET FOR AFTERNOON, JANUARY 20. VANDEN HEUVEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CHEMICAL WARFARE, NEGOTIATIONS, CHEMICALS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA01081
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780037-0196
Format: TEL
From: GENEVA
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Office: ACTION ACDA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 GENEVA 581
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 18 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3718587
Secure: OPEN
Status: NATIVE
Subject: US-USSR NEGOTIATIONS ON CHEMICAL WEAPONS, ROUND SEVEN: FOURTH PLENARY MEETING, JANUARY 17, 1978
TAGS: PARM, PCAT, US, UR
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/b7d1a1e0-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014